REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	27 March 2000
Name of applicant/court:	The District Court at Auckland
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	ababy37.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *ababy37.jpg* is classified as:
Objectionable.

The computer image file promotes and supports the exploitation of children for sexual purposes. This is because it contains a colour photographic image showing a naked pre-pubescent girl posing on a bed, touching a large doll, with the front of her naked body clearly visible. Her pubic region is visible. The level of nudity and the context of the image suggest it is intended to sexually arouse the viewer. The image encourages the notion that adults can use children for sexual ends, and upholds and strengthens that notion by showing a child being exploited.

The provisions of the New Zealand Bill of Rights Act 1990 (NZBR Act) have been taken into account in determining this classification. As the publication falls under s3(2) of the Films, Videos, and Publications Classification Act 1993, it is deemed to be objectionable. An objectionable classification places a limit on s14 of the NZBR Act. However, in relation to this publication, it is considered to be a reasonable limit prescribed by law that can be demonstrably justified in a free and democratic society.

OFLC Ref: 9902016